

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**BRIAN K. THOMSON,**

**Plaintiff,**

**v.**

**ODIE WASHINGTON, LT. OAKLY,  
et al.,**

**Defendants.**

**No. 01-CV-0256-DRH**

**ORDER**

**HERNDON, District Judge:**

Pending before the Court is Plaintiff's notice of and motion for voluntary dismissal (Doc. 37). Specifically, Plaintiff moves the Court to dismiss Defendant Lt. Richard Oakley. Oakley has not responded to the notice/ motion. Thus, the Court **GRANTS** the motion. The Court **DISMISSES without prejudice** Defendant Lt. Richard Oakley from this case. Further, the Court **DENIES as moot** Oakley's motion for more definite statement (Doc. 32)

**IT IS SO ORDERED.**

Signed this 10th day of July, 2006.

/s/ David RHerndon  
**United States District Judge**